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December 12, 2023

VIA ECF

Magistrate Judge James M. Wicks
United States District Court
Eastern District of New York
100 Federal Plaza, Courtroom 1020
Central Islip, New York 11722

Re: Superb Motors Inc. et al. v. Deo et al., Case No. 23-cv-6188

Dear Judge Wicks:

This firm represents defendant Flushing Bank in the referenced action. We write with regard to the briefing schedule for Flushing Bank's motion to dismiss Plaintiffs' Amended Complaint and to request that the Court include Flushing Bank's motion within the stay. We make this request because, in addition to opposing Flushing Bank's motion in papers served last night, Plaintiffs have included a cross-motion for leave to serve a Second Amended Complaint. Not only was such a cross-motion not contemplated in the scheduling order regarding Flushing Bank's motion, but the proposed Second Amended Complaint would require answers or motions from all defendants, including the Jones Defendants, whose motion to dismiss the Amended Complaint is being held in abeyance until the January 9, 2024 status conference, the Deo Defendants, whose attorney has been disqualified and which presently are unrepresented, and Libertas Funding LLC, which we understand will be moving to dismiss the extent complaint.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Baylis', written over the typed name 'Thomas S. Baylis'.

Thomas S. Baylis

cc: All Counsel of Record (via ECF)